

RESOLUTION NO. 15.13

A RESOLUTION CONCERNING A PETITION FOR THE ANNEXATION OF PROPERTY TO THE TOWN OF FIRESTONE, COLORADO, KNOWN AS THE SWINGLE LAWN TREE & LANDSCAPE ANNEXATION TO THE TOWN OF FIRESTONE, AND FINDING THE AREA PROPOSED TO BE ANNEXED ELIGIBLE FOR ANNEXATION

WHEREAS, a petition for annexation of property described in Exhibit A attached hereto has been filed with the Board of Trustees of the Town of Firestone; and

WHEREAS, pursuant to state law, the Town Board has held a hearing and desires to adopt by Resolution its findings in regard to the petition and eligibility for annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. The Town Board finds and concludes that:

1. It is desirable and necessary that the territory described in Exhibit A attached hereto and incorporated herein be annexed to the Town of Firestone.
2. The applicable requirements of Sections 31-12-104 and 31-12-105, C.R.S., as amended, exist or have been met, including without limitation:
 - a. Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town of Firestone; in accordance with Section 31-12-104(1)(a), C.R.S., contiguity may be established by the annexation of two or more parcels in a series.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Firestone.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future.
 - d. The area proposed to be annexed is integrated with or is capable of being integrated with the Town of Firestone.
 - e. No land within the boundary of the territory proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.

- f. No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprising twenty acres or more, and which, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowners.
 - g. No annexation proceedings have been commenced for any portion of the territory proposed to be annexed for the annexation of such territory to another municipality.
 - h. The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district.
 - i. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the Town of Firestone more than three miles in any direction from any point of the boundary of the Town of Firestone in any one year.
 - j. The territory proposed to be annexed is 3.77 acres, more or less.
 - k. The Master Plan adopted by the Board of Trustees of the Town of Firestone shall serve as the plan for the area proposed to be annexed, in accordance with Section 31-12-105(1)(e), C.R.S.
 - l. Any portion of a platted street or alley to be annexed will result in the entire width of the street or alley having been included within and made a part of the Town of Firestone and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the Town of Firestone but is not bounded on both sides by the Town of Firestone.
- 3. Four copies of an annexation map of the area proposed to be annexed have been submitted to the Town Board and are on file with the Town.
 - 4. Upon the annexation ordinance becoming effective, all land within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the Town of Firestone, except that general property taxes of the Town of Firestone, if applicable, shall become effective as of the January 1 next ensuing.
 - 5. No election for annexation of the area proposed to be annexed has been held in the preceding twelve months, and no election is required under Sections 31-12-107(2) or

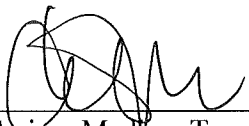
-112, C.R.S.

6. No additional terms and conditions are to be imposed other than those set forth in the annexation petition or otherwise agreed to by all owners, which are not to be considered additional terms and conditions within the meaning of Sections 31-12-107(1)(g), -110(2) or 112, C.R.S.
7. The landowners of one hundred percent (100%) of the area proposed to be annexed signed the petition requesting annexation, in compliance with Article II, Section 30 of the Colorado Constitution and Section 31-12-107(1), C.R.S.

Section 2. The Town Board concludes that all statutory requirements have been met, that the proposed annexation is proper under the laws of the State of Colorado and the area proposed to be annexed is eligible for annexation to the Town. The Town Board, acting in its legislative capacity and pursuant to authority granted to it by state law, may adopt one or more ordinances annexing the subject property to the Town of Firestone.

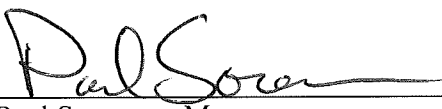
INTRODUCED, READ, and ADOPTED this 11th day of March, 2015.

ATTEST:



Carissa Medina, Town Clerk





Paul Sorensen, Mayor

EXHIBIT A - LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 14, TOWNSHIP 2 NORTH, RANGE 68 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 14;

THENCE SOUTH 00°24'08" EAST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 14, A DISTANCE OF 30.00 FEET TO A POINT; THENCE SOUTH 90°00'00" EAST A DISTANCE OF 60.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF EAST I-25 FRONTAGE ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 90°00'00" EAST A DISTANCE OF 750.02 FEET TO A POINT;
THENCE SOUTH 00°24'04" EAST A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 22;
THENCE CONTINUING SOUTH 00°24'04" EAST A DISTANCE OF 263.60 FEET TO A POINT;
THENCE NORTH 72°21'43" WEST A DISTANCE OF 21.39 FEET TO A POINT;
THENCE ALONG A CURVE WITH A RADIUS OF 345.00 FEET, DELTA OF 19°24'05", ARC LENGTH OF 116.82 AND BEARING NORTH 82°03'46" WEST A DISTANCE OF 116.27 FEET TO A POINT;
THENCE SOUTH 88°14'12" WEST A DISTANCE OF 169.41 FEET TO A POINT;
THENCE ALONG A CURVE WITH A RADIUS OF 290.00 FEET, DELTA OF 16°25'32", ARC LENGTH OF 83.14 AND BEARING NORTH 83°33'02" WEST A DISTANCE OF 82.85 FEET TO A POINT;
THENCE NORTH 75°20'16" WEST A DISTANCE OF 13.06 FEET TO A POINT;
THENCE ALONG A CURVE WITH A RADIUS OF 125.00 FEET, DELTA OF 28°28'15", ARC LENGTH OF 62.11 AND BEARING NORTH 61°06'08" WEST A DISTANCE OF 61.48 FEET TO A POINT;
THENCE NORTH 46°52'01" WEST A DISTANCE OF 54.98 FEET TO A POINT;
THENCE ALONG A CURVE WITH A RADIUS OF 115.00 FEET, DELTA OF 21°06'34", ARC LENGTH OF 42.37 AND BEARING NORTH 57°25'18" WEST A DISTANCE OF 42.13 FEET TO A POINT;
THENCE NORTH 67°58'35" WEST A DISTANCE OF 41.60 FEET TO A POINT;
THENCE ALONG A CURVE WITH A RADIUS OF 155.00 FEET, DELTA OF 20°24'54", ARC LENGTH OF 55.23 AND BEARING NORTH 78°11'02" WEST A DISTANCE OF 54.94 FEET TO A POINT;
THENCE NORTH 88°23'29" WEST A DISTANCE OF 129.51 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF EAST I-25 FRONTAGE ROAD;
THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF EAST I-25 FRONTAGE ROAD NORTH 00°24'08" WEST A DISTANCE OF 113.19 FEET TO A POINT;
THENCE CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF EAST I-25 FRONTAGE ROAD NORTH 00°24'08" WEST A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

THE TOTAL DESCRIBED LAND CONTAINS AN AREA OF 164,128 SQUARE FEET OR 3.77 ACRES, MORE OR LESS.